

Remarks

Restrictions

Examiner in his Office Action dated May 5, 2005 withdrew claim 19-40 from considerations as being directed to a non-elected invention. Applicant has formally withdrawn claims 19-40 from this reissue application as indicated in the Amendments to the Claims Section. A divisional application containing claims 19-40 will be filed separately.

Section 251 Rejection

Examiner rejected claims 1-18 as being based upon a defective reissue declaration. Examiner indicated that claims 1-18 would be allowed if the rejection can be overcome.

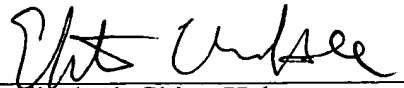
Applicant enclose a new declaration which cures the defect in the Office Action, which Examiner indicated to be the lack of "explanation to clearly indicate which steps are unnecessary, and how the unnecessary steps would render the original patent to be wholly or partially inoperative or invalid" (para. 1, p. 4 of the Office Action). Examiner furthermore requested that the declaration identify the specific claim language wherein lies the error (para. 2, p. 4 of the Office Action).

The enclosed declaration points out, among other things, that 1) the original patent is wholly or partly inoperative or invalid, by reason of the patentee claiming less than the patentee had the right to claim in the patent, and 2) at least one error upon which reissue is based is that claim 1 defines the subject invention too narrowly in that it recites the not necessary step of redefining registers of task files from definitions of the IDE interface to definitions for updating the flash ROM (37 CFR 1.175(a)(1)). More particularly, Applicant point to the fact that the step of "redefining registers of task files from definitions of the IDE interface to definitions for updating the flash ROM" is step 2 of claim 1 in the original patent.

Applicant respectfully submit that the rejections and objections in the Office Action dated May 5, 2005 have been overcome and the application is now in condition for allowance. The Examiner is invited to call the undersigned at 408-776-8719 if there remains any issue with allowance of this case.

Dated: Sep.3 2005

Respectfully submitted,

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